IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 5TH JULY 2006 / 14TH ASHADA 1928

Bail Appl..No. 3960 of 2006

(CRIME NO.530/2006 OF PATHANAMTHITTA POLICE STATION)

PETITIONER

SURESH, S/O.BHASKARAN NAIR,
AGED 50 YEARS, RESIDING AT CHAITHANYA, VAZHAMUTTOM MURIYIL, VALLIKODE VILLAGE, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.3960/2006

DATED THIS THE 5TH DAY OF JULY, 2006

O R D E R

The petitioner is the accused of an offence punishable under Section 8(1) and 8(2) of the Abkari Act, in crime No.530/2006 of Pathanamthitta Police Station. It is alleged that the petitioner was in possession of twelve liters of illicit arrack, kept in a jerry can. Seeing the police he ran away. A person, who was consuming the arrack, informed the investigating officer about the identity of the petitioner. Hence he is before this Court, under Section 438 Cr.P.C.

2. After considering the submissions, made by the learned counsel as well as the materials on record, I direct the petitioner to appear before the Judicial Magistrate of First Class-I, Pathanamthitta, on 13.7.2006 at 11.00 a.m.

3. The petitioner may move an application for bail, after serving copy of the same, to the APP, well in

advance. After hearing the prosecution, the learned Magistrate shall pass appropriate orders on the same day itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs